



**Montana Department of Transportation**  
**PO Box 201001**  
**Helena, MT 59620-1001**

**MEMORANDUM**

**To:** See Distribution  
**From:** Kevin Christensen, P.E.  
Construction Engineer  
**Date:** November 30, 2006  
**Subject:** Supplemental Specification Revision: 105.05 Cooperation by Contractor

The Construction Administration Services Bureau is proposing revisions to Standard Specification, 105.05. Following the Standard Specification Revision Process outlined in the Construction Engineer's Memorandum dated January 9, 2002 the following information is provided.

1. Standard Specification, 105.05 will be modified.
2. The Proposed Draft of the change is attached along with this memorandum.
3. Revision to the Standard Specification is needed to ensure that Contractors can be contacted by the Department at all times, including work suspensions.
4. Those impacted by the change include:  
  
Contractors, Construction Field Crews, CAS Bureau
5. The following individuals were consulted and/or involved in developing the proposed revisions:  
  
MDT Chief Engineer, Legal, CAS Bureau

*It is requested that written comments on **the proposed revisions only**, be returned to [mdtspecifications@mt.gov](mailto:mdtspecifications@mt.gov) no later than December 29, 2006.*

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**105.05 COOPERATION BY CONTRACTOR**

The Department will furnish the Contractor at least 15 sets of contract documents. Keep at least one set available on the project at all times.

Cooperate with the Engineer, Project Manager, the Inspectors, and other Contractors during the contract work.

Staff the project with a Superintendent experienced in the type of work to be performed under the contract. Ensure the Superintendent, when not physically on the project, has the ability to communicate with Department representatives by phone, cell phone, radio, or other electronic means. This contact must be maintained during all work suspensions, including winter suspension.

Maintain a Contractor representative having the Superintendent's authority, when the Superintendent is not physically on the project or available for immediate communication. Notify the Project Manager in writing of the identity and contact information of that representative before that person assumes the authority.

Give the Superintendent the authority to execute orders or instructions of the Project Manager or authorized representative and the authority to obtain all resources to complete the contract, including directing all Subcontractor operations.

Provide the Project Manager, the Superintendent's name in writing before work starts.

The Project Manager or authorized representative will issue instructions to the superintendent.

Notify the Project Manager in writing at least 24 hours in advance of changes in the Contractor's representative.

Failure to maintain a Contractor's Superintendent or authorized representative on the project is cause for the Project Manager to stop work until one is assigned. All cost associated with delay in the stopped work is solely the Contractor's responsibility.

Failure to maintain the ability to be contacted within 2 hours during times of work suspension will result in contract time being charged. Time will be charged for the day the Department first attempts to make contact and each additional day that the Contractor's designated representative cannot be contacted.